

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO

UNITED STATES OF AMERICA,

Plaintiff,

v.

No. 25-MJ-0330 DLM

CRISTHIAN ADRIAN ORTEGA-LOPEZ,

Defendant.

ORDER DENYING EMERGENCY MOTION TO DETAIN MATERIAL WITNESS

THIS MATTER is before the Court on Defendant's Emergency Motion to Detain Material Witness. (Doc. 19.) Defendant asks the Court to detain Effren Montilla-Castillo and Juan Manuel Acevedo-Leon, who are detained at the Otero County Immigration Center but who may be deported within the next day, "as the testimony of these witnesses appears to be material." (*Id.* at 1.) Defendant fails to state, however, what testimony these deponents would likely offer. Moreover, Defendant fails to comply with this district's local rules, which require the movant to "determine whether a motion is opposed." D.N.M. LR-Crim. 47.1. "A motion that fails to recite concurrence of each party may be summarily denied." D.N.M. LR-Crim. 47.2.

IT IS THEREFORE ORDERED that Defendant's Emergency Motion (Doc. 19) is **DENIED**. Defendant may correct the errors noted above and refile the motion for United States District Judge Margaret Strickland's review, given that Judge Strickland is reviewing Defendant's Notice of Appeal. (*See* Doc. 13.)



DAMIAN L. MARTINEZ
UNITED STATES MAGISTRATE JUDGE